



U.S. Department
of Transportation

Federal Highway
Administration

Virginia Division

The Dale Building, Suite 205
1504 Santa Rosa Road
Richmond, Virginia 23229

January 8, 1999

I-66 HOV Restrictions

Mr. Pete Kolakowski
Assistant Commissioner
Virginia Department of Transportation
Richmond, Virginia

Attention: Mr. Kenneth Lantz, Jr.

Dear Mr. Kolakowski:

This letter concerns Section 361 in the Fiscal Year 1999 USDOT Appropriation Act, which involves the high occupancy vehicle (HOV) restrictions on I-66 in Virginia. The provision states, "Hereafter, the Commonwealth of Virginia shall have the exclusive authority to determine the HOV restrictions applicable to I-66 in Virginia."

Section 361 seems like a simple statement, but because of the 1977 Coleman Decision and history of HOV restrictions on I-66 in Northern Virginia, we saw a need to obtain some clarification. Thus, we recently sought a legal interpretation, as well as, the answers to a number of questions. Attached for your reference is a copy of the response we received.

Please note that Virginia now has the authority to determine all operational restrictions relative to the HOV lanes on all portions of I-66. In particular, the restrictions and conditions outlined in our October 28, 1996, letter and attachment to Commissioner David Gehr, are no longer applicable. FHWA's concurrence in changes is no longer needed.

Sincerely yours,

Roberto Fonseca-Martinez
Division Administrator

Thomas A. Jennings

Thomas A. Jennings
Transportation Management Engineer

Attachment